



Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
May 18, 2015

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

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|---------------------|---|----------------------------|
| In re: |) | Case No. 15-10522-ABL |
| JPH LAS VEGAS, LLC, |) | Chapter 11 |
| Debtor. |) | Hearing Date: May 15, 2015 |
| |) | Hearing Time: 3:00 p.m. |

ORDER REGARDING MOTION TO DISMISS

On May 15, 2015, the Court issued its oral ruling regarding the Secured Creditor, Nightingale Holdings Inc.'s Motion to Dismiss Debtor's Chapter 11 Case Pursuant to 11 USC §§ 1112(b) and/or 350(a), With Prejudice ("Motion to Dismiss") (ECF No. 18)¹ filed by creditor Nightingale Holdings Inc. ("Nightingale").

At the May 15, 2015, oral ruling, attorney A.J. Kung appeared on behalf of Nightingale. Attorney Matthew Zirzow appeared on behalf of Debtor JPH Las Vegas, LLC ("Debtor").

In its oral ruling, the Court specifically held that cause exists for dismissal or conversion of this case pursuant to 11 U.S.C. § 1112(b)(1). The Court also concluded that no proof of unusual circumstances exists in the record that support an exception to mandatory conversion or dismissal under 11 U.S.C. § 1112(b)(2).

To the extent that the Court made findings of fact and conclusions of law in the course of its oral ruling on May 15, 2015, those findings of fact and conclusions of law are incorporated

¹In this Order, references to "ECF No." are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the Clerk of the Court.

1 into this Order by this reference pursuant to FED. R. CIV. P. 52(a), made applicable to this
2 contested matter pursuant to FED. R. BANKR. P. 9014(a) and (c) and 7052.

3 For the reasons stated on the record:

4 **IT IS ORDERED** that the Motion to Dismiss is **GRANTED IN PART AND DENIED**
5 **IN PART** as follows:

6 The Motion is **GRANTED to the extent** it sought dismissal of Debtor's
7 case for cause pursuant to 11 U.S.C. § 1112(b).

8 The Motion is **DENIED to the extent** it sought dismissal of Debtor's case
9 with prejudice.

10 The Motion is further **DENIED to the extent** it sought dismissal of
11 Debtor's case pursuant to 11 U.S.C. § 305(a)

12 **IT IS FURTHER ORDERED** that this case is **DISMISSED** for cause pursuant to 11
13 U.S.C. § 1112(b).

14
15 Notice and copies sent through:

16 CM/ECF ELECTRONIC NOTICING AND/OR BNC MAILING MATRIX

17 and sent via FIRST CLASS MAIL BY THE COURT AND/OR BNC to:

18 JPH LAS VEGAS, LLC
19 1101 CRENSHAW BLVD.
20 LOS ANGELES, CA 90019

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